

# Lock 'em up, throw away the mouse

Ken Lay and Bernie Ebbers seem in little danger of criminal prosecution, but, by golly, Congress is taking serious aim at those dangerous traders in music online. If a new House bill becomes law, anybody threatening the republic by posting and sharing a song without official permission will be subject to five years in prison and a \$250,000 fine.

And, just taking a wild guess, the time probably won't be served in the recreational camps occupied by the few wealthy white-collar criminals who get convicted.

Called the Author, Consumer and Computer Owner Protection and Security Act of 2003, the bill was introduced several days ago. It promises to put more tools and resources in the hands of law enforcement agencies to go after those thieving music sharers.

Actually, the measure has a legitimate aim: protecting the art of musicians, writers and moviemakers — whose creative efforts deserve compensation — and the investments of those who actually paid for the music. But one wonders how much time wise

law enforcement authorities should waste putting file-swappers in prison.

Critics of this harsh proposal are right. Music and movie industry people are desperate to protect their old business models, rather than finding ways to turn technology to their benefit. For instance, why not work harder on ways to market and deliver music digitally online rather than just through CDs?

Even Michael Jackson, the King of Pop, a songwriter and performer, says the overly punitive solution is wrong.

"Here in America, we create new opportunities out of adversity, not punitive laws, and we should look to new technologies like Apple's new Music Store for solutions," he said.

Jailing music downloaders sounds more like stopgap scare tactics than business solutions. Perhaps wiser heads are busy crafting real strategies for these big and important industries.

# Bill protects artists' work from thieves

By JOHN CONYERS

This year millions of Americans turned on their televisions to watch hopeful and struggling artistic talents striving for a dream of success and fame in the music business. Today, those same struggling musicians are having their art stolen on the Internet. The pattern has become all too clear — a musician finally makes his or her first hit single but earns almost no money from the song because



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someone put it on the Internet for everyone to take for free.

This problem affects many others who depend on our entertainment industry for their livelihood, whether it be the cartoonist who spends hours and hours drawing a cartoon frame by frame or the warehouse employee who places compact discs in boxes.

Unless we stop the stealing of our music, movies and other art on the Internet, we will lose the more than \$530 billion it contributes to the economy each year and jobs for more than 4.5 million people.

One culprit is the person who intentionally takes a song or movie and places it on the Internet, giving away art to the world that person never created and robbing an artist of any hope of being compensated for his or her hard work. That is why my bill would make it a felony to place a copyrighted song on a public network on the Internet for the world to take. It is important to note this would penalize the person who puts the copyrighted songs on the Internet, not those who take it after it has been posted.

Other culprits are the Internet sites that bait consumers with one-stop shopping for stolen music while the same Internet sites secretly contain "spyware" that allows the world to read a consumer's computer files, including financial and personal information. They also contain "supernode" software that allows these Internet sites to hijack your computer and use it to distribute pornography or copyrighted material.

That is why my bill would require consumers to be clearly notified and asked for consent if peer-to-peer software they begin to download would take over their computers, either for searching other computers or for storing data. Consumers have a right to know what is being done with their computers and personal information.

While those who want something for nothing like to use scare tactics about this bill, there is nothing new or different about these ideas. One cannot, under current law, shoplift compact discs from a music store and then put them on the street for everyone to take for free.

What is radical and disturbing is the idea pushed by Internet pirates that, in the brave new world of high technology, we will break with the time-tested idea that people should be compensated for their hard work.